

and contract for the sale of the Shaw Farm in Bowie County, Texas, under such rules and regulations and at such times as the Prison Board shall determine, reserving to themselves the power to reject any and all bids not acceptable to them. It is mandatory that not less than one-eighth overriding royalty in and of all oil and gas and other mineral rights in and under said land shall be and is hereby reserved to the State. The money arising from the sale of such farm shall be placed in the State Treasury to the credit of the General Fund.

Sec. 13. No guard shall be employed by the Prison Board who can not read and write the English language.

Sec. 14. The sum of Two Hundred and Fifty Thousand (\$250,000.00) Dollars is hereby appropriated out of the General Revenue for the remainder of the fiscal year ending August 31, 1930; and the sum of Three Hundred Thousand (\$300,000.00) Dollars is hereby appropriated for the fiscal year ending August 31, 1931, each of which said appropriations shall be available to the Texas Prison Board for expenditure, one-half upon improvement of the headquarters plant at Huntsville in Walker County, Texas, and one-half for necessary improvements on the various farm units of the prison system, provided, however, that the moneys herein appropriated shall so far as reasonable business methods will permit, be expended in such manner that the rehabilitation of the Huntsville plant and improvement on the farms shall be concurrent. Such improvements as are made to the living quarters of the prisoners on the farms are to be of sanitary fire-proof construction.

Sec. 15. This Act shall be held cumulative of all laws on this subject and shall not be construed as repealing any other law or provisions of law, except where provisions are in conflict with such law or provisions of law; and if any provisions of this Act shall be held unconstitutional, it is hereby declared the legislative intent that such determination shall not affect other provisions of the Act.

Sec. 16. The fact that the Penitentiary System of the State of Texas is in an unsatisfactory condition creates an emergency and a

public necessity that the constitutional rule requiring bills to be read on three separate days be suspended and the same is hereby suspended and that Act shall be in force and effect from and after its passage and it is so enacted.

SEVENTH DAY.

Senate Chamber,
Austin, Texas,
March 4, 1930.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	

Absent—Excused.

Cousins.	Woodul.
Pollard.	Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hyer.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Martin, et al.:

S. B. No. 41, A bill to be entitled "An Act legalizing, approving and validating improvement bonds of levee improvement districts created under authority of Section 59, Article 16, Constitution, and levy of

taxes in payment thereof, where such bonds have been approved by the Attorney General, registered by the State Comptroller, and thereafter sold and delivered; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Hyer:

S. B. No. 42, A bill to be entitled "An Act amending Articles 5738 and 5742 of the Revised Civil Statutes of 1925, as amended by S. B. No. 84, Acts of the Fourth Called Session of the Forty-first Legislature, filed in the office of the Secretary of State, February 17, 1930, relating to co-operative marketing associations, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Parr:

S. B. No. 43, A bill to be entitled "An Act providing for how lands, forming part of an irrigation district, water improvement district, water control and improvement district, or of any conservation or reclamation district either or both, or of any drainage or levee district, which now are or which may subsequently be incorporated, made part of and annexed to an incorporated city, may be taken out and excluded from any such district or districts, so as to thereafter relieve said lands from any other taxes, charges or assessments in such district or districts, except their proportionate part of the bonded indebtedness existing against said district or districts at the time they are incorporated and made part of said incorporated city and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Parrish:

S. B. No. 44, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 26, Acts of the Fourth Called Session of the Forty-first Legislature, with reference to salaries of county judges and county commissioners; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Thomason:

S. B. No. 45, A bill to be entitled "An Act providing for a maximum amount to be budgeted by the county board of school trustees for annual office and traveling expenses of the county superintendent of public instruction, repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

S. C. R. No. 4.

Senator Greer sent up the following resolution:

Whereas, The Honorable Henry Ford, one of America's most progressive citizens, and ranking among the philanthropists of America, constantly doing much good for his fellowman in the distribution of his energy and wealth for the good of his country and citizens; and

Whereas, There is situated in the State of Texas fostered and nurtured by the Odd Fellows of Texas, an orphans' home for the care, custody and training of the orphan children, which is situated in the City of Corsicana, Texas. And there is also situated at that place a State orphans' home, and an effort is being made to establish an industrial school for the benefit of said orphans, accessible to both of such institutions; therefore, be it

Resolved by the State Senate, the House of Representatives concurring, That the State Legislature does by this resolution, petition the Honorable Henry Ford in the exercise of his benevolence, after thorough investigation by him that it will be appreciated by the Legislature of the State of Texas, and the citizens of the State as a whole that he supplement the facilities of the Odd Fellows and the State orphans' home in the establishment of such industrial school for these institutions.

GREER.

The resolution was read.

Senator DeBerry moved to refer the resolution to the Committee on State Affairs. The motion prevailed.

Simple Resolution No. 9.

Senator McFarlane sent up the following resolution:

Whereas, The Prison Board by unanimous resolution on March 3, refused to accept any more convicts in the penitentiary system, and

Whereas, the board states "That they have been discussing this action for a long time," and

Whereas, We have five sawmills belonging to the penitentiary system, and several thousand acres of standing timber, therefore be it

Resolved by the Senate of Texas That the Lieutenant Governor be authorized to appoint a committee of three members of the Senate to investigate the conditions in the penitentiary system, and to report their findings and recommendations in regard to the recent action of the Prison Board in barring convicts from the prison system at this time.

McFARLANE.

The resolution was read.

On motion of Senator Witt, the resolution was tabled by the following vote:

Yeas—14.

Beck.	Moore.
Gainer.	Neal.
Hardin.	Parrish.
Holbrook.	Stevenson.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Witt.

Nays—8.

Cunningham.	Miller.
DeBerry.	Parr.
Martin.	Patton.
McFarlane.	Wirtz.

Present—Not Voting.

Berkeley.	Greer.
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Absent.

Russek.	Woodul.
Small.	Woodward.
Thomason.	

Absent—Excused.

Cousins.	Pollard.
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Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger

from the House with the following message:

Hall of the House of Representatives.

Austin, Texas, March 4, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 3, providing for sine die adjournment.

H. C. R. No. 5, requesting the Honorable Henry Ford to consider certain Texas territory for the establishment of proposed educational institutions.

H. C. R. No. 7, assuring the title-holders of the land on the eastern boundary of Texas, formerly owned by the State of Oklahoma, that the Texas Legislature will consider their rights consistent with the laws of the State, when disposition of the land is authorized by the Legislature.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. C. R. No. 4.

The Chair laid before the Senate H. C. R. No. 4, directing State Auditor to audit books of State educational institutions.

Read, and on motion of Senator Moore, laid on the table subject to call.

H. C. R. No. 5.

The Chair laid before the Senate H. C. R. No. 5, requesting Henry Ford to consider certain Texas territory for the establishment of proposed educational institutions.

Read, and by unanimous consent, referred to Committee on State Affairs.

H. C. R. No. 7.

The Chair laid before the Senate H. C. R. No. 7, relating to the disposition of land on the eastern boundary of Texas, formerly held by Oklahoma.

Read and adopted.

H. C. R. No. 3.

The Chair laid before the Senate H. C. R. No. 3, relating to sine die adjournment March 15, 1930.

Read, and on motion of Senator Holbrook, laid on the table subject to call.

Senate Bill Referred.

S. B. No. 26 was referred to the Committee on Educational Affairs.

Senate Bill No. 15.

The Chair laid before the Senate on second reading the following bill:
By Senator Woodward::

S. B. No. 15, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to the organization of the Fifty-first Judicial District of the State of Texas; reorganizing the same, naming the counties constituting the same and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth Judicial District of the State of Texas, etc."

The committee report, carrying an amendment, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 15 was put on its third reading and final passage, by the following vote:

Yeas—25.

Beck.	Miller.
Berkeley.	Moore.
Cunningham.	Neal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Patton.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.

Absent.

Russek.

Absent—Excused.

Cousins.	Woodul
Pollard.	Woodward.

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Moore.
Berkeley.	Neal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	

Nays—1.

Cunningham.

Absent.

Russek.	Woodward.
Woodul.	

Absent—Excused.

Cousins.	Pollard.
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Senate Bill No. 21.

The Chair laid before the Senate on second reading the following bill:

By Senator Williamson:

S. B. No. 21, A bill to be entitled "An Act to amend Article 5139 of Title 82 of the Revised Civil Statutes of Texas of 1925, relating to Juvenile boards in certain counties and salaries of district and criminal district judges in such counties, and declaring an emergency."

The committee report was adopted.

The bill was read second time.

Senator McFarlane sent up the following amendment:

Amend S. B. No. 21 by striking out \$2,500.00 and insert in lieu thereof \$1,500.00.

McFARLANE.

The amendment was read.

Senator McFarlane withdrew the amendment.

Senator Wirtz sent up the following amendment:

Amend the bill by adding a section to be known as Section 1-A to read as follows:

Sec. 1-A. And in all judicial districts of four counties having a combined population of not less than 104,000, nor more than 105,000, according to the federal census of such

county, the district judge shall perform the duties of juvenile judge as provided for district judges in counties having a population of more than 100,000 and for such duties shall be paid an annual compensation of \$1,000.00 per year, to be paid pro rata by the several counties of the district.

WIRTZ.

Read and adopted.

S. B. No. 15 Reconsidered.

On motion of Senator DeBerry, the Senate reconsidered the vote by which S. B. No. 15 was finally passed.

Recess.

On motion of Senator Stevenson, the Senate, at 12:10 o'clock, recessed until 2 o'clock.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Point of No Quorum.

Senator McFarlane raised the point of order that a quorum was lacking. The roll call showed 18 present.

Senator McFarlane moved a call of the Senate to obtain and maintain a quorum.

Senate Bill No. 21.

The question recurred on S. B. No. 21.

Senator McFarlane sent up the following amendment:

Amend S. B. No. 21 by adding to the end of Sec. 1 the following:

Provided, that the provisions of this Act shall not become effective unless and until the question of whether or not such salary raise shall first be submitted to a vote of the district affected and such question adopted by a majority of the qualified voters and then in that event such increase in salary herein provided for shall become effective.

McFARLANE.

The amendment was read.

On motion of Senator Williamson the bill was laid on the table subject to call.

Senate Bill No. 15.

On motion of Senator DeBerry, S. B. No. 15 was laid on the table subject to call.

Senate Bill No. 27.

On motion of Senator Love, S. B. No. 27 was laid on the table subject to call.

Senate Bill No. 28.

On motion of Senator Love, S. B. No. 28 was laid on the table subject to call.

Special Order Set.

On motion of Senator Hyer, S. B. No. 25 was set as special order tomorrow morning immediately following the morning call.

Senate Bill No. 33.

The Chair laid before the Senate on second reading the following bill:

By Senators Beck, Cunningham:
S. B. No. 33, A bill to be entitled "An Act providing for and authorizing for exchange between the State of Texas and the Concho, San Saba and Llano Valley Railroad Company of certain lands belonging to them, respectively, situated in Tom Green County, Texas, and the execution of deeds of conveyance effecting such exchange placing the land to be so acquired by and conveyed to the State in and under the possession, control and management of the State Board of Control and constituting same a part of the grounds of said State Tuberculosis Sanatorium, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 33 was put on its third reading and final passage, by the following vote:

Yeas—23.

Beck.	Hyer.
Berkeley.	Love.
Cunningham.	Martin.
DeBerry.	McFarlane
Gainer.	Moore.
Greer.	Neal.
Holbrook.	Parr.
Hornsby.	Parrish.

Patton.
Small.
Stevenson.
Thomason.

Westbrook.
Williamson.
Witt.

Absent.

Hardin. Wirtz.
Miller. Woodul.
Russek. Woodward.

Absent—Excused.

Cousins. Pollard.

Read third time and finally passed
by the following vote:

Yeas—23.

Beck. Moore.
Berkeley. Neal.
Cunningham. Parr.
DeBerry. Parrish.
Gainer. Patton.
Greer. Small.
Holbrook. Stevenson.
Hornsby. Thomason.
Hyer. Williamson.
Love. Witt.
Martin. Westbrook.
McFarlane.

Absent.

Hardin. Wirtz.
Miller. Woodul.
Russek. Woodward.

Absent—Excused.

Cousins. Pollard.

Senate Bill No. 28.

Senator Love called up from the
table the following bill:

By Senator Love:

S. B. No. 28, A bill to be entitled
"An Act requiring all public school
property to be insured against loss
by fire or tornado, hail and wind-
storm, and providing the necessary
means, funds, and regulations to
that end, and declaring an emer-
gency."

The committee report was adopted.

The bill was read second time and
passed to engrossment by the follow-
ing vote:

Yeas—16.

Beck. Hornsby.
Berkeley. Hyer.
DeBerry. Love.
Greer. Martin.

McFarlane.
Neal.
Patton.
Small.

Stevenson.
Westbrook.
Williamson.
Witt.

Nays—8.

Cunningham. Miller.
Gainer. Moore.
Hardin. Parr.
Holbrook. Parrish.

Absent.

Russek. Wirtz.
Thomason.

Absent—Excused.

Cousins. Woodul.
Pollard. Woodward.

Senator McFarlane received unan-
imous consent to have printed in the
Journal as a part of his remarks the
following letter:

Munday, Texas, March 1, 1930.
Hon. W. D. McFarlane, Capitol Sta-
tion, Austin, Texas.

Dear Sir: A calamity has arisen
in this community in that it has lost
its school building by fire on last
Wednesday night.

We built the building by the is-
suanee of bonds which have been
running for only years and have
thirty-three years more to pay. The
bond is for Twelve Thousand Dollars
and the district will only carry about
Fifteen Thousand bonded indebted-
ness.

We have a scholastic enrollment
of about one hundred and sixty and
are teaching ten grades.

The school to which I refer is Gil-
lespie Common School District No. 7
situated half-way between the towns
of Munday and Knox City in Knox
County, Texas.

Do you think it possible to get a
bill introduced in the present called
session of the Legislature making a
special appropriation of Five or Ten
Thousand Dollars to help in rebuild-
ing and equipping a new school
building adequate for the needs of
the district?

Awaiting an early reply and
thanking you for any consideration,
we are

Yours truly,

F. G. OFFUTT, Pres.,
R. C. PARTRIDGE, Sec'y.,
Trustees Common School District
No. 7, Knox County.

The motion of Senator Love to suspend the constitutional rule requiring bills to be read on three several days was lost by the following vote:

Yeas—14.

Beck.	Neal.
Berkeley.	Patton.
DeBerry.	Small.
Greer.	Stevenson.
Hornsby.	Westbrook.
Love.	Williamson.
McFarlane.	Witt.

Nays—10.

Cunningham.	Martin.
Gainer.	Miller.
Hardin.	Moore.
Holbrook.	Parr.
Hyer.	Parrish.

Absent.

Russek.	Wirtz.
Thomason.	

Absent—Excused.

Cousins.	Woodul.
Pollard.	Woodward.

(Four-fifths vote required.)

Senate Bill No. 20.

The Chair laid before the Senate the following bill:

S. B. No. 20, A bill to be entitled "An Act to amend Chapter 65, H. B. No. 104, passed at the First Called Session of the Forty-first Legislature as amended by Chapter 62, S. B. No. 116, passed at the Second Called Session of the Forty-first Legislature, relating to regulating the avocation and art of barbering, prescribing such sanitary rules and regulations in order to insure the proper sanitary conditions, and to prevent the spreading of diseases, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment by the following vote:

Yeas—18.

Beck.	Love.
Gainer.	Martin.
Hardin.	McFarlane.
Holbrook.	Moore.
Hornsby.	Parr.
Hyer.	Parrish.

Patton.	Westbrook.
Small.	Williamson.
Stevenson.	Witt.

Nays—4.

Cunningham.	Greer.
DeBerry.	Miller.
	Absent.

Russek.	Wirtz.
Thomason.	

Absent—Excused

Cousins.	Woodul.
Pollard.	Woodward.

(Pair Recorded.)

Senator Berkeley (present) who would vote nay, with Senator Neal (absent) who would vote yea.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 20 was put on its third reading and final passage by the following vote:

Yeas—19.

Beck.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Holbrook.	Small.
Hornsby.	Stevenson.
Hyer.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Witt.
Moore.	

Nays—3.

Cunningham.	Miller.
DeBerry.	

Absent.

Hardin.	Wirtz.
Russek.	

Absent—Excused.

Cousins.	Woodul.
Pollard.	Woodward.

Read third time and finally passed by the following vote:

Yeas—21.

Beck.	Hyer.
Gainer.	Love.
Greer.	Martin.
Hardin.	McFarlane.
Holbrook.	Moore.
Hornsby.	Neal.

Parr.	Thomason.
Parrish.	Westbrook.
Patton.	Williamson.
Small.	Witt.
Stevenson.	

Nays—4.

Berkeley.	DeBerry.
Cunningham.	Miller.

Absent.

Russek.	Wirtz.
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Absent—Excused.

Cousins.	Woodul.
Pollard.	Woodward.

Reason for Vote.

On S. B. No. 20 I vote nay for the following reasons:

I opposed this bill originally in past sessions because I do not believe it was needed and was passed purely for the benefit of the barbers of this State and not for the good of the people. I do not now oppose its perfection as a matter of expediency but to keep my record straight I am forced to vote nay.

DeBERRY.

Senate Bill No. 37.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Hornsby:

S. B. No. 37, A bill to be entitled "An Act cancelling and annulling the lease which Travis County holds against the courthouse and jail property owned by the State of Texas."

Read second time.

Senator DeBerry sent up the following amendment:

Amend S. B. No. 37 by striking out the figures \$50,000 wherever they may appear and insert in lieu thereof the figures \$40,000 and amend the caption to conform.

DeBERRY.

The amendment was read.

Senator Hornsby moved to table the amendment. The motion prevailed by the following vote:

Yeas—14.

Berkeley.	Hornsby.
Gainer.	Hyer.
Hardin.	Love.

Martin.	Thomason.
Parr.	Westbrook.
Patton.	Williamson.
Small.	Witt.

Nays—7.

Cunningham.	Miller.
DeBerry.	Moore.
Greer.	Parrish.
McFarlane.	

Absent.

Beck.	Russek.
Holbrook.	Stevenson.
Neal.	Wirtz.

Absent—Excused.

Cousins.	Woodul.
Pollard.	Woodward.

Simple Resolution No. 10.

Senator Hornsby sent up the following resolution:

Be It Resolved by the Senate of Texas That a most cordial invitation be extended to former President Calvin Coolidge to stop and pay a visit to the capital city of Texas when he comes this way on next Thursday and the Secretary of the Senate is instructed to wire the invitation to the former President.

HORNSBY.

Read and adopted.

S. B. No. 31 Referred.

S. B. No. 31 was referred to the Committee on Educational Affairs.

Adjournment.

On motion of Senator Hyer, the Senate, at 5:08 o'clock, adjourned until tomorrow morning at 10 o'clock.

APPENDIX.**Committee Reports.**

Committee Room,

Austin, Texas, March 3, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 38, A bill to be entitled "An Act amending Article 2791, Title 49, R. C. S. of Texas, 1925, providing for tax assessors and collectors of independent school districts,

fixing their powers and bond, prescribing the duties thereof, and fixing the fees of said assessors and collectors so that the bond required of such tax assessors and collectors of independent school districts shall be in a sum equivalent to forty per cent of the whole amount of the school district taxes for the district as shown by the last preceding assessment, provided said bond shall in no event exceed fifty thousand dollars, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MILLER, Vice Chairman.

Committee Room.

Austin, Texas, March 4, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 40, A bill to be entitled "An Act to provide for the sale by the State to H. L. McKee, his heirs and assigns, a certain tract or area of land situated in Jefferson County, Texas, same being submerged lands constituting a part of the bed of Sabine Lake, retaining to the State all minerals therein; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

SMALL, Chairman.

By Cousins, Thomason. S. B. No. 40.

A BILL

To Be Entitled

An Act to provide for the sale by the State to H. L. McKee, his heirs and assigns, a certain tract or area of land situated in Jefferson County, Texas, same being submerged lands constituting a part of the bed of Sabine Lake, retaining to the State of Texas all minerals therein; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Subject to and upon the terms and provisions of this Act,

the Commissioner of the General Land Office shall be and is authorized and directed to sell to H. L. McKee the following described piece, parcel or tract of land lying and being situated in Jefferson County, Texas, same being a part of the bed of Sabine Lake in said county, and described by metes and bounds: Beginning at a point on the extreme southeast corner of what is now known as Pleasure Pier bulkhead; thence in a southeasterly direction along a course parallel to the projection of the center line of Austin Avenue, in the city of Port Arthur, Texas, for a distance of approximately 12,000 feet more or less to a point on the east boundary line of the State of Texas, being also a point on the west boundary line of the State of Louisiana; thence in a southwesterly direction along east boundary line of the State of Texas, being the west boundary line of the State of Louisiana, a distance of 6200 feet more or less to a point on a line parallel to the projection of the center line of Austin Avenue in the city of Port Arthur, Texas, and 6000 feet from the point of beginning; thence in a northwesterly direction along a line parallel to the projected center line of Austin Avenue and 6000 feet distant from the point of beginning for a distance of 12,600 feet, more or less to a point on the west shore of Lake Sabine, same being a point on the mean low water contour; thence in a northeasterly direction along the mean low water contour of the west shore of Lake Sabine for a distance of 6100 feet more or less to a point; thence in a southeasterly direction along a line parallel to the projected center line of Austin Avenue for a distance of 2700 feet more or less to the point of beginning; same being the boundaries of a tract in Lake Sabine.

Sec. 2. Said H. L. McKee shall cause said land to be surveyed and field notes of same, together with a correct plat thereof, to be recorded and returned to the General Land Office as provided by law for making surveys and recording and returning other field notes. Said field notes and plat shall be subject to the approval of the Commissioner of the General Land Office as other field

notes, and when so approved shall be filed by the Commissioner of the General Land Office and shall be and remain an archive of that office.

Sec. 3. Upon the approval and filing of said field notes and plat, and payment to the Commissioner of the General Land Office by said H. L. McKee for said land of a sum of money equal in the aggregate to one dollar an acre for each and every acre of said tract of land, and payment of the patent fees provided for by law, a patent to said land shall issue to said H. L. McKee, his heirs and assigns as provided by law governing the issuance of land patents. The money so paid for said land shall be transmitted and credited to the State permanent public free school fund as provided by law for transmitting and crediting to said fund money received by the Commissioner of the General Land Office in payment for State public free school lands.

Sec. 4. Unless said land is surveyed and the field notes thereof recorded and filed, and said land paid for, as herein provided within one year from the date this Act goes into effect said land shall not be sold under this Act.

Sec. 5. The minerals of every character in said land are reserved to the State and shall not pass under the purchase of or patent of said land under this Act, and the State shall have the right at any time, and from time to time, to dispose of said minerals in place either in the whole or any part or parcels of said land, in such manner and upon such terms, provisions, requirements and conditions concerning said minerals as the State may see fit; and the State and those to whom it may grant said minerals, their heirs and assigns, in person and by their agents, representatives and employees shall have the right of such occupancy and use of so much of said land, and when and during such time, as may be deemed appropriate or necessary in prospecting for, producing, storing, transporting, inspecting, caring for and disposing of said minerals, and facilities and appliances for such purposes, provided such right of occupancy and use may be exercised only upon provision being made for compensating said H.

L. McKee, and those owning or holding under him, for any damage to him or them resulting from or incident to such occupancy or use.

Sec. 6. Said patent shall recite on its face that said land was sold under and subject to the provisions of this Act and that all minerals in said land, and all rights concerning same as herein provided, are reserved to the State.

Sec. 7. The fact that this is a special session in which time is essential, creates an emergency and necessity, requiring the suspension of the constitutional rule requiring bills to be read upon three several days in each house, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage.

Committee Room,

Austin Texas, March 4, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 41, A bill to be entitled "An Act legalizing, approving and validating improvement bonds of levee improvement districts created under authority of Section 59, Article 16, Constitution, and levy of taxes in payment thereof, where such bonds have been approved by the Attorney General, registered by the State Comptroller, and thereafter sold and delivered; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

STEVENSON, Chairman.

By Martin, Greer, Gain- S. B. No. 41
er, Small, Parrish,
Hornsby, Moore,
Parr, Berkeley, Hyer,
Neal, Westbrook,
Holbrook. Hardin.
Patton, Love, McFar-
lane, Thomason, Witt,
Stevenson.

A BILL

To Be Entitled

An Act legalizing, approving and validating improvement bonds of

levee improvement districts created under authority of Section 59, Article 16, Constitution, and levy of taxes in payment thereof, where such bonds have been approved by the Attorney General, registered by the State Comptroller and thereafter sold and delivered; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That where, under authority of Section 59, of Article 16, of the Constitution of the State of Texas, a majority of the resident property taxpayers, being qualified electors of any levee improvement district heretofore created in conformity with the provisions and requirements of Chapter 25 and/or Chapter 44, of the General Laws passed at the Fourth Called Session of the Thirty-fifth Legislature, in 1918, or Chapter 21, of the General Laws passed at the Regular Session of the Thirty-ninth Legislature, in 1925, voting on the proposition, having voted at an election held in such levee improvement district in favor of the issuance of bonds of such district and the levy of taxes upon the taxable property therein, for the purpose of paying the interest on said bonds and providing a sinking fund for the redemption thereof, for the construction and maintenance of levees and other improvements within such district, the canvass of said vote, revealing such majority, having been recorded in the minutes of said county commissioners' court, and where thereafter, the county commissioners' court of the county in which such levee improvement district is situated, or the county commissioners' court of each county having lands embraced within a levee improvement district in any case where such district embraces lands in more than one county, by orders adopted and recorded in their minutes, authorize the issuance of such bonds of such levee improvement district, prescribing the date and maturity thereof, and rate of interest the bonds were to bear, the place of payment of principal and interest, and providing for the levy of taxes upon taxable property in each such levee improvement district suf-

ficient to pay the interest on such bonds and to produce a sinking fund sufficient to pay the bonds at maturity, and such bonds were approved by the Attorney General and registered by the Comptroller of the State of Texas, and thereafter issued and delivered, each such election, and all acts and proceedings had and done in connection therewith by the county commissioners' court of the county or counties of jurisdiction in respect of such bonds and the levy of taxes, are hereby legalized, approved and validated; and such bonds, so sold and delivered, are hereby validated and constituted the legal obligations of such levee improvement district.

Sec. 2. The public importance of this measure creates an emergency and a public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is suspended, and this Act shall take effect and be in force from and after its passage.

Committee Room,
Austin, Texas, March 4, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 32, A bill to be entitled "An Act providing for workmen's compensation for employees of the State Highway Department; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

MOORE, Chairman.

By Beck, Witt, Neal, S. B. No. 32
Thomason, McFarlane.

A BILL

To Be Entitled

An Act providing for workmen's compensation for employees of the State Highway Department; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The State Highway Commission is hereby authorized and directed to carry workmen's compensation insurance on all of the employees of the State Highway Department. The premiums and costs of such compensation insurance

shall be paid by the State Highway Commission out of the State Highway Fund on warrants of the Comptroller, in the same manner as other disbursements are made from said fund under the law.

Sec. 2. The State Highway Department shall procure said workmen's compensation in the same manner, if possible, as provided for employees in the workmen's compensation laws of this State, and all of the applicable provision of the workmen's compensation laws of this State shall apply in connection with the compensation provided for in this Act except where in conflict herewith. It is not intended by this Act to permit or authorize any suit to be instituted against the State, or any liability created against the State.

Sec. 3. The benefits herein provided in favor of employees shall be a part of the compensation paid by the State for the services of said employees to the State of Texas.

Sec. 4. The fact that claims are constantly being presented to the Legislature by employees of the State Highway Department for personal injuries received in the course of their employment, and no provision has been made for compensating such employees for such injuries, as is now provided and required for employees engaged in similar work for individuals and corporations, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 4, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 43, A bill to be entitled "An Act providing a method how lands, forming part of an irrigation district, water improvement district, water control and improvement district, or of any conservation or reclamation district, either or both, or of any drainage or levee district, which now are or which may subse-

quently be incorporated, made part of and annexed to an incorporated city, may be taken out and excluded from such district or districts, so as to thereafter relieve said lands from any other taxes, charges or assessments in such district or districts, except their proportionate part of the bonded indebtedness existing against said district or districts at the time they are incorporated and made part of said incorporated city; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

STEVENSON, Chairman.

By Parr.

S. B. No. 43.

A BILL

To Be Entitled

An Act providing a method how lands, forming a part of an irrigation district, water improvement district, water conservation and improvement district, or of any conservation or reclamation district either or both, or of any drainage or levee district, which now are or which may subsequently be incorporated, made part of and annexed to an incorporated city, may be taken out and excluded from such district or districts, so as to thereafter relieve said lands from any other taxes, charges or assessments in such districts, except their proportionate part of the bonded indebtedness existing against said district or districts at the time they are incorporated and made part of said incorporated city; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Definitions.

Whenever in this Act the word incorporated city is used it shall mean any city incorporated under the general laws or under a special charter granted by the Legislature, or incorporated under what is known as The Home Rule Amendment to the Constitution.

Whenever in this Act the word district or districts is used it shall mean any incorporated irrigation district, water improvement district, water control and improvement dis-

tract or any conservation district, or reclamation district, or conservation and reclamation district, or any drainage district, or any levee district, as now or hereafter incorporated under the General Laws applicable to said district.

Sec. 2. Whenever there is included within the limits of any incorporated city any lands forming part of any one or more of the districts as above defined; or where any lands forming part of any one or more of the districts as above defined are subsequently incorporated within or annexed to the city limits of any incorporated city, or where any land or lands forming part of an incorporated city are subsequently included in or taken into any one or more of said districts, the owner or owners of all or any part of said land or lands shall have the right to have same excluded from, and taken out of any one or more of said districts of which said land or lands form a part, by filing an application with the governing body of said district or districts requesting said lands to be so excluded for the reason that the same is a part of, an incorporated city or town, and said petition shall be granted upon proof of that fact, as a matter of right by entering upon the minutes of said district or districts an order excluding said land or lands from said district or districts; and thereafter said land or lands shall cease to be a part of said district or districts and thereafter said land or lands shall not be subject to any other taxes, charges, or assessments by said district or districts except for its proportionate part of the bonded indebtedness existing against said district or districts at the time said land or lands were so excluded from said district or districts.

Sec. 3. The fact that there is now no law whereby lands lying in irrigation, water improvement, conservation, reclamation districts, levee or drainage districts which also form a part of an incorporated city can be taken out and excluded from any one or more of said districts and be relieved from double taxation creates an emergency and a public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days

in each house of the Legislature and said rule is hereby suspended, and this Act take effect from and after its passage and it is so enacted.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, March 5, 1930.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent.

Parrish.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Martin:

S. B. No. 46, A bill to be entitled "An Act to empower executors and administrators to renew debts of estates of decedents secured by liens on real estate and providing a method for making such renewals."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Neal, Beck:

S. B. No. 47, A bill to be entitled